

HOUSE BILL 313

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2004 Regular Session  
4r0629

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By: **Delegates DeBoy, Aumann, Boteler, Bromwell, Cadden, Cluster,  
Eckardt, Elmore, Frank, Gaines, Goodwin, Griffith, Haynes, Hennessy,  
Jameson, Malone, Minnick, Mitchell, Paige, Quinter, and Weir**

Introduced and read first time: January 28, 2004

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: February 17, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Public Safety - Impersonating a Law Enforcement Officer - Increased**  
3                                   **Penalties**

4 FOR the purpose of increasing the maximum criminal penalties for impersonating a  
5 law enforcement officer; and generally relating to impersonating a law  
6 enforcement officer.

7 BY repealing and reenacting, with amendments,  
8 Article - Public Safety  
9 Section 3-502  
10 Annotated Code of Maryland  
11 (2003 Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14                                   **Article - Public Safety**

15 3-502.

16 (a) In this section, "police officer" means a member of:

17 (1) a police force of this State or another state;

18 (2) a police force of a county or municipal corporation of this State or  
19 another state;

- 1 (3) the United States Secret Service Uniformed Division;
- 2 (4) the United States Park Police;
- 3 (5) the Federal Bureau of Investigation;
- 4 (6) the Drug Enforcement Administration; or
- 5 (7) a division of a federal agency the primary duties of which are the  
6 investigation, apprehension, or detention of individuals suspected or convicted of  
7 federal crimes.

8 (b) A person may not, with fraudulent design on person or property, falsely  
9 represent that the person is a police officer, special police officer, sheriff, deputy  
10 sheriff, or constable.

11 (c) Except as provided in subsection (e) of this section, a person may not have,  
12 use, wear, or display a uniform, shield, button, ornament, badge, identification, or  
13 shoulder patch adopted by the Department of State Police to be worn by its members,  
14 insignia, or emblem of office, as is worn by a police officer, sheriff, deputy sheriff, or  
15 constable.

16 (d) A person may not, for the purpose of deception, have a simulation or  
17 imitation of an article described in subsection (c) of this section as is worn by a police  
18 officer, sheriff, deputy sheriff, or constable.

19 (e) A person may have, use, wear, or display an article described in subsection  
20 (c) of this section with the appropriate authority of:

- 21 (1) the Secretary of State Police;
- 22 (2) a police force of another state;
- 23 (3) the Police Commissioner of Baltimore City;
- 24 (4) the chief of police of a county or municipal corporation of this State or  
25 another state;
- 26 (5) a sheriff or deputy sheriff;
- 27 (6) a constable;
- 28 (7) the United States Secret Service Uniformed Division;
- 29 (8) the United States Park Police;
- 30 (9) the Federal Bureau of Investigation;
- 31 (10) the Drug Enforcement Administration; or

1           (11)     a division of a federal agency the primary duties of which are the  
2 investigation, apprehension, or detention of individuals suspected or convicted of  
3 federal crimes.

4       (f)        A person who violates this section is guilty of a misdemeanor and on  
5 conviction is subject to imprisonment not exceeding [6 months] 2 YEARS or a fine not  
6 exceeding [\$100] \$2,000 or both.

7       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
8 effect October 1, 2004.